

अण्डमान तथा
Andaman And



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अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
सचिवालय/SECRETARIAT

NOTIFICATION

Port Blair, dated the 6th August, 2013

No. 166/2013/F.No.3-510/2013-Labour.— WHEREAS, a conciliation proceedings initiated by the Assistant Labour Commissioner, Conciliation Officer, North and Middle Andaman, Rangat between Executive Engineer, Construction Division, APWD Diglipur and the President, North Andaman Public Work Union, Diglipur, on the issue of regularization of service as well as non payment of 1/30th of minimum Scale of Pay + DA to 05 DRMs has failed.

AND, WHEREAS, the Conciliation Officer has forwarded a failure report on the conciliation proceedings vide No. ID/04/2007/388 dated 03/07/2013 to Government recommending to refer the case to Labour Court for adjudication under Section (4) of Section 12 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947).

NOW, THEREFORE, in exercise of the powers conferred under Sub-Section (1) of Section 10 read with Sub-Section (5) of Section 12 and Sub-Section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) read with the Notification No. LR-1(59)/55 dated 13th December, 1955 of the Government of India, Ministry of Labour and A & N Administration's Notification No. 144/2008/F.No.17-2/2007-Labour dated 7/10/2008, the Secretary (Labour), A & N Administration, after consideration of the report orders to refer the said disputes, in the following terms of reference, to the Labour Court, Andaman and Nicobar Islands, Port Blair for submission of award as per Law.

TERMS OF REFERENCE

“Whether the demand of the Union for regularization of 05 DRMs namely Smti Durga Mondal, S/Shri Ashok Biswas, Ramesh Chandra Das, Mahadev Bawali & Narayan Sarkar by the Executive Engineer, Construction Division, Diglipur is legal and justified ? If so, what relief the concerned workmen are entitled to ?”

“Whether the demand of the Union for payment at the rate of 1/30th Pay at the minimum of the relevant Pay Scale plus DA to those 05 DRMs is legal and justified ? If so, what relief the concerned workmen are entitled to ?”

By order of the Secretary (Labour),

Sd./-
(Gabriel Martin)
Deputy Secretary (Lab.)